

**CIVIL COMPLAINT FORM TO BE USED BY A *PRO SE* PRISONER**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Michael Demuro-Correll, QP5314  
Full Name of Plaintiff Inmate Number

v.

Warden Haidle  
Name of Defendant 1

Corrections Officer (CO) Kubic  
Name of Defendant 2

\_\_\_\_\_  
Name of Defendant 3

\_\_\_\_\_  
Name of Defendant 4

\_\_\_\_\_  
Name of Defendant 5

(Print the names of all defendants. If the names of all defendants do not fit in this space, you may attach additional pages. Do not include addresses in this section).

Civil No. \_\_\_\_\_  
(to be filled in by the Clerk's Office)

☒ Demand for Jury Trial  
☐ No Jury Trial Demand

**FILED  
SCRANTON**

**APR 08 2024**

PER DJ  
DEPUTY CLERK

**I. NATURE OF COMPLAINT**

Indicate below the federal legal basis for your claim, if known.

- ☒ Civil Rights Action under 42 U.S.C. § 1983 (state, county, or municipal defendants)
- \_\_\_\_ Civil Rights Action under Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971) (federal defendants)
- \_\_\_\_ Negligence Action under the Federal Tort Claims Act (FTCA), 28 U.S.C. § 1346, against the United States

**II. ADDRESSES AND INFORMATION**

**A. PLAINTIFF**

Michael Demuro-Cornell, A  
Name (Last, First, MI)

Qp5314  
Inmate Number

SCI Camp Hill  
Place of Confinement

P.O. Box 8837  
Address

Camp Hill, PA 17001-8837  
City, County, State, Zip Code

Indicate whether you are a prisoner or other confined person as follows:

- ☐ Pretrial detainee  
☐ Civilly committed detainee  
☐ Immigration detainee  
☒ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner

**B. DEFENDANT(S)**

Provide the information below for each defendant. Attach additional pages if needed.

Make sure that the defendant(s) listed below are identical to those contained in the caption. If incorrect information is provided, it could result in the delay or prevention of service of the complaint.

Defendant 1:

Warden Haidle ~ First name unknown  
Name (Last, First)

warden  
Current Job Title

4250 Manor Dr.  
Current Work Address

East Stroudsburg, Monroe County, PA 18360  
City, County, State, Zip Code

Defendant 2:

C.O. Kubic First name unknown  
Name (Last, First)  
correctional officer  
Current Job Title  
4250 Manor Dr.  
Current Work Address  
East Stroudsburg, Monroe County, PA 18360  
City, County, State, Zip Code

Defendant 3:

\_\_\_\_\_  
Name (Last, First)  
\_\_\_\_\_  
Current Job Title  
\_\_\_\_\_  
Current Work Address  
\_\_\_\_\_  
City, County, State, Zip Code

Defendant 4:

\_\_\_\_\_  
Name (Last, First)  
\_\_\_\_\_  
Current Job Title  
\_\_\_\_\_  
Current Work Address  
\_\_\_\_\_  
City, County, State, Zip Code

Defendant 5:

\_\_\_\_\_  
Name (Last, First)  
\_\_\_\_\_  
Current Job Title  
\_\_\_\_\_  
Current Work Address  
\_\_\_\_\_  
City, County, State, Zip Code

### III. STATEMENT OF FACTS

State only the facts of your claim below. Include all the facts you consider important. Attach additional pages if needed.

A. Describe where and when the events giving rise to your claim(s) arose.

Monroe County Jail on or around April 15, 2022, between the hours of 8 AM - 2 PM

B. On what date did the events giving rise to your claim(s) occur?

April 15, 2022

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what?)

on or around 11-23-2020, plaintiff entered Monroe County Jail as a youthful offender, on or around April 15, 2022, while on B-unit plaintiff was in his cell. It was recreation in the day room. plaintiff observed inmate Anthony Mitchell conversing with CO Kubie, to wit, received a pair of nail clippers. moments later inmate Mitchell (an adult inmate) slashed plaintiff's face through the open tray slot. I yelled for CO Kubie and told him what happened and he responded "stop fucking playing" slammed the tray slot closed "you got what you deserved" and refused medical treatment. plaintiff had to use his tablet to contact his father whom called the jail to get medical attention. medical treated plaintiff, took pictures of injuries and placed him on J-unit for a week and then placed him back on B-unit as if nothing happened. plaintiff exhausted his claim filing grievance to final stage. nothing was done.

see Attached -

**IV. LEGAL CLAIM(S)**

You are not required to make legal argument or cite any cases or statutes. However, state what constitutional rights, statutes, or laws you believe were violated by the above actions. If you intend to assert multiple claims, number and set forth each claim in separate paragraphs. Attach additional pages if needed.

8th and 14th Amendment Failure to protect and state law  
tort claim failing to protect

**V. INJURY**

Describe with specificity what injury, harm, or damages you suffered because of the events described above.

slashed face, permanent scarring, mental and emotional  
trauma

**VI. RELIEF**

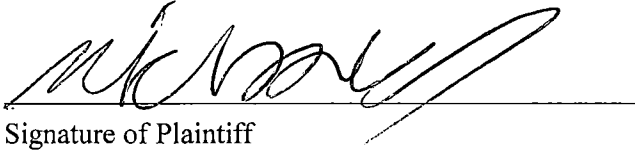
State exactly what you want the court to do for you. For example, you may be seeking money damages, you may want the court to order a defendant to do something or stop doing something, or you may be seeking both types of relief. If you are seeking monetary relief, state your request generally. Do not request a specific amount of money.

stop warden from housing youthful inmates with adult inmates  
compensatory and punitive damages

**VII. SIGNATURE**

By signing this complaint, you represent to the court that the facts alleged are true to the best of your knowledge and are supported by evidence, that those facts show a violation of law, and that you are not filing this complaint to harass another person or for any other improper purpose.

Local Rule of Court 83.18 requires *pro se* plaintiffs to keep the court informed of their current address. If your address changes while your lawsuit is being litigated, you must immediately inform the court of the change in writing. By signing and submitting the complaint form, you agree to provide the Clerk's Office with any changes to your address where case-related papers may be served, and you acknowledge that your failure to keep a current address on file with the Clerk's Office may result in dismissal of your case.



Signature of Plaintiff

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Date

SECTION 1983 COMPLAINT ATTACHMENT CONT...

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CONCISE STATEMENT OF MATERIAL FACT

CLAIM ONE - Prison officials Violated plaintiffs' Eighth And Fourteenth Amendment Rights by failing to prevent adult inmate from assaulting youthful offender inmate plaintiff

Facts Supporting claim -

On 12/20/20, plaintiff (a youthful offender age 18) entered Monroe County jail as a pre-trial detainee.

Warden Haidle was aware of and knew the potential risks of housing youthful offenders with adults pursuant to Title 28 - Judicial Administration, chapter 1 - Department of Justice, part 115 - prison rape elimination Act, subpart A - standards for adult prisons and jails prevention planning, § 115.14 - youthful inmates:

(a) a youthful inmate shall not be placed in a housing unit in which the youthful inmate will have sight, sound, or physical contact with any adult inmate through use of a shared dayroom or other common space, shower area, or sleeping quarters.

Warden Haidle's deliberate indifference to plaintiff's safety stems from a complete disregard of federal law mandate forbidding youthful inmates from having sight, sound or any physical contact with adult inmates.

## SECTION 1983 COMPLAINT ATTACHMENT CONT...

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on or around April 15, 2022, plaintiff was housed in the B-unit at Monroe County Jail. B-unit housed both youthful offenders and adult inmates. Further, plaintiff's co-defendant was also housed on B-unit.

Between the hours of 8 AM - 2 PM (1st shift) plaintiff was in his cell and through the tray slot witnessed CO Kubic hand adult inmate Anthony Mitchell a pair of nail clippers. Moments later, after CO Kubic and inmate Mitchell conversed, inmate Mitchell walked towards plaintiff's cell, reached in tray slot and sliced plaintiff's face with the nail clippers (presumably).

Plaintiff notified CO Kubic, to wit, CO Kubic came over to shut plaintiff's tray slot and after plaintiff asked CO Kubic for medical attention, CO Kubic responded "stop fucking playing, you got what you deserved" and slammed the tray slot closed.

Plaintiff had to use his secure view tablet to contact his father who then called the jail to tell them what happened and to get medical attention to the ~~slashing~~ on his face.

Medical staff treated plaintiff and took pictures of his injuries.

Plaintiff filed a grievance thru final stage. Plaintiff was placed back on B-unit as if nothing happened.



SECTION 1983 COMPLAINT ATTACHMENT CONT...

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CLAIM TWO - The officials were negligent under state  
Tort law Failing to protect plaintiff

Rather than restating the facts set forth above in detail  
Plaintiff incorporates same herein by reference as if fully set  
forth.

TITLE 34 - Crime and law enforcement  
Subtitle III - prevention of particular crimes  
Chap, 303 - prison rape Elimination  
§ 303: 202 - purpose

\* \* \*

(7) protect the 8th Amendment rights of federal, state, and  
local prisoners.

Smart Communications/PA-DOC  
Michael Demuro-Correll (AP5345)  
SCJ-comm#111  
P.O. BOX 33028  
St. PetersBURGJFL 33733

Inmate Mail  
PA DEPT. OF  
CORRECTIONS



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02 4W  
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PER

*W*

DEPUTY CLERK

Office of the Clerk

United States District Court  
Middle District of Pennsylvania

William J. Nealon

235 North Washington Avenue  
P.O. Box 1148  
Scranton, PA 18501-1148

Legal Mail